

# CELLY SERVICES, INC.

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Environmental, Health and Safety Services

## Refrigerant Recycling Requirements

October 15, 2006

**Background:** Since July 1992, regulations promulgated under the CAA require that motor vehicle air conditioning refrigerant be recycled. Last week, auto dealers in San Francisco area were penalized for violations arising under this act. See email attached. We must note that these CAA regulations are federal regulations and are applicable to all auto dealers in the US and not to San Francisco dealers alone. To achieve compliance under this regulation, dealers must act as follows:

- **Clean Air Act Section 609 Technician Certification Program:** All employees working on A/C systems must be trained and tested by a program approved by EPA on how to properly recover and recycle refrigerant (such as Freon 12, HFC-134(a) or any other approved by EPA approved refrigerant).
- **Clean Air Act Section 609 Approved Equipment:** Must utilize EPA approved recycling equipment and mail a completed USEPA Refrigerant or Recycling Device Acquisition Certification Form to EPA.

**Technician Certification:** All shop employee's repairing/servicing/diagnosing or working in any way on A/C systems must receive training and certificate from an EPA approved training program. The list of training programs is available on <http://www.epa.gov/ozone/title6/609/technicians/609certs.html>. We note that training programs on A/C systems provided by auto manufacturers are a requirement to repair and service automobiles but they do not in any shape or form help in compliance with this law. Training programs provided by other government bodies such as the South Coast Air Quality management District also do not help achieve compliance with this law. The training program undertaken by the employees must be on the EPA approved list.

We note that the dealers who have settled the fines (as listed in the attached email) had reportedly been assessed penalties in the range of \$22,700 per technician and the EPA was requesting records going back three years. We do not know why these three Ford dealers were subject of enforcement but the substantial penalty requires action on your part. Under the EPA demand of certification records, you may have to provide training for a technician that was hired three years ago and left employment two years ago. Locating the certification document for such can be tough if you are not diligent.

We recommended that you do not allow any employee without training to work on A/C repair or service unless the employee has provided the management with a copy of certification from an EPA approved body. A copy of the certificate should be retained in the Black Box under the file "Air Quality" and a copy sent to Human Resources (Business Office) for retention in the employee file. You may need a copy of the certification three years beyond the date of departure of the tech! More reading on this issue *Just the Facts for MVACs: EPA Regulatory Requirements for Servicing of Motor Vehicle Air Conditioners* is available at [www.epa.gov/ozone/title6/justfax.html](http://www.epa.gov/ozone/title6/justfax.html)

**Approved Equipment:** Section 609 mandates that technicians must use EPA approved equipment to perform the refrigerant recovery and recycling. Visit <http://www.epa.gov/ozone/title6/609/technicians/appequip.html> for a list of approved equipment. For all the existing and new recycling machines, you must complete a USEPA Refrigerant or Recycling Device Acquisition Certification Form (OMB 2060-0256) and mail it to the Regional EPA office. Please keep a copy of the form in your file on "Air Quality" in the Black Box.

The article was authored by Sam Celly of Celly Services, Inc. Sam has been helping automobile dealers comply with EPA & OSHA regulations in California, Nevada, Arizona, Hawaii & Idaho since 1987. Sam received his BS & MS in Chemical Engineering followed by a JD from Southwestern University. Sam is a Certified Safety Professional & a Registered Environmental Assessor (CA). Your comments/questions are always welcome. Please send them to [sam@cellysolutions.com](mailto:sam@cellysolutions.com).